

Quite often we have difficulties, we have problems, and we really don't think about the policy that has created it—or in this case, the lack of policy.

I think it is very important that as we have the great growth of energy use in this country, that we take a look at our policy and not let ourselves become captives of overseas production.

M/V "MIST COVE"

Mr. THOMAS. I ask unanimous consent that the Commerce Committee be discharged from further consideration of H.R. 3903, and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3903) to deem the vessel M/V MIST COVE to be less than 100 gross tons, as measured under chapter 145 of title 46, United States Code.

There being no objection, the Senate proceeded to consider the bill.

Mr. THOMAS. Mr. President, I ask unanimous consent the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3903) was read the third time and passed.

OCEANS ACT OF 2000

Mr. THOMAS. Mr. President, I ask unanimous consent the Senate proceed to the consideration of Calendar No. 568, S. 2327.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2327) to establish a Commission on Ocean Policy, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 3620

(Purpose: To establish a Commission on Ocean Policy, and for other purposes)

Mr. THOMAS. Mr. President, Senator HOLLINGS has a substitute amendment at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Wyoming [Mr. THOMAS], for Mr. HOLLINGS, proposes an amendment numbered 3620.

Mr. THOMAS. I ask unanimous consent reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. HOLLINGS. Mr. President, I rise today in support of Senate passage of S. 2327, the Oceans Act of 2000. The bill

calls for an action plan for the twenty-first century to explore, protect, and make better use of our oceans and coasts. Its passage is, quite simply, the most important step we can take today to ensure an effective, coordinated and comprehensive ocean policy to guide us into the new millennium.

I thank my colleagues in the Commerce Committee for their support, in particular, Senators SNOWE, KERRY, and STEVENS, for their cosponsorship and their efforts over the last several weeks to bring this bill to the floor. Following in the Commerce Committee tradition with respect to ocean issues, this has been a bipartisan process. I also thank the other cosponsors of the legislation, Senators BREAU, INOUE, BOXER, LAUTENBERG, MURKOWSKI, LIEBERMAN, AKAKA, FEINSTEIN, CLELAND, MOYNIHAN, MURRAY, REED, SARBANES, SCHUMER, WYDEN, LANDRIEU, MURKOWSKI, CHAFEE, and ROTH for their continued support. Finally, I want to express my appreciation to the numerous industry, environmental, and academic groups who agree that the time has come for this bill.

Mr. President, it is critical that we enact the Oceans Act of 2000 this year as we pass through the gateway to a new millennium. The oceans are again beginning to receive the attention they received in 1966 when we enacted legislation to establish a Commission on Marine Science, Engineering, and Resources (known as the Stratton Commission for its chairman Julius Stratton) to recommend a comprehensive national program to explore the oceans, develop marine and coastal resources, and conserve the sea. The Stratton Commission's report and recommendations have shaped U.S. ocean policy for three decades, and resulted in the creation of the National Oceanic and Atmospheric Administration (NOAA) under Presidential Reorganization Plan Number Four, as well as most of the major marine conservation status NOAA implements. These include the National Marine Sanctuaries Act, the Magnuson-Stevens Fishery Conservation and Management Act, and the Coastal Zone Management Act.

Where the Stratton Commission performed its work with vision and integrity, the world has changed in myriad ways since 1966. Ocean and coastal issues are growing more popular day by day, but we are able to make the necessary headway to ensure they get the attention and priority they deserve. Consider the following quote from the National Research Council's report entitled *Striking a Balance, Improving Stewardship of Marine Areas*:

The findings of the Marine Board studies have revealed a strong interest in the nation's coastal and marine areas by present and potential offshore industries, coastal states responsible for resource development and environmental preservation of their offshore regions, and the ocean research com-

munity. Little has been done, however, to devise a comprehensive regulatory or management framework for current or future activities in federal and state waters or on or under the seabed in the U.S. Exclusive Economic Zone. The need for a regulatory and management framework is likely to increase in the future . . . No mechanism exists for establishing a common vision and a common set of objectives. . . .

Establishing an independent national Ocean Commission in the year 2000 could comprehensively evaluate concerns that cannot be viewed effectively through current federal processes or through privately-commissioned studies. These include concerns about providing appropriate priority and funding for critical ocean conservation and management issues, as well as whether the ocean management regimes that have developed over the last 30 years are duplicative and uncoordinated, resulting in costly or time-consuming requirements that may provide little incremental environmental benefit.

The essential elements of the legislation before the Senate today remain the same as the Committee-reported version, with further amendments to reinforce the importance of science in supporting the Commission's activities. The Oceans Act of 2000 would establish a 16-member high level national Commission, similar to the Stratton Commission, to examine ocean and coastal activities and report within 18 months on recommendations for a national policy. The Commission members would be selected from individuals nominated by majority and minority representatives in both houses of Congress. Eligible individuals include a truly balanced group of experts representing state and local governments, academia, ocean-related industries and public interest groups.

The Act would become effective at the end of this year, enabling the current Administration to complete the interagency ocean initiative resulting from the hard work done by the ocean community for the 1998 International Year of the Ocean. It will also allow the incoming Administration time to evaluate the Commission nominees and make appointments. Once the Commission completes its recommendations to the President and to Congress, it will then be the President's turn to report to Congress how he will respond to these recommendations. As in 1966, the real work will begin after the Commission completes its report. History has taught us that Congressional support and participation is essential to ensuring the long-term success of this truly national ocean effort. We are off to a very good start. The current bill enjoys wide support in the Senate and from industry, conservation groups, scientists, and states, all of whom have sent numerous letters of support over the past several months. Most recently, we have received letters of support from the Chairman of the National Academy of Sciences' National

Research Council, the fifty-three member institutions that are part of the Consortium for Oceanographic Research and Education, as well as fourteen major telecommunications and information technology groups.

Mr. President, this legislation is both appropriate and long overdue. By the end of this decade about 60% of Americans will live along our coasts, which account for less than 10% of our land area. I am amazed that in this era, when we've invested billions of dollars in exploring other planets, we know so little about the ocean and coastal systems upon which we and other living things depend. Large storms events like Hurricane Floyd and Hugo, driven by ocean-circulation patterns, pose the ultimate risk to human health and safety. El Nino-related climate events have led to increased incidence of malaria in some countries. Harmful algal blooms have been linked to deaths of sea lions in California and manatees in Florida, and we are still searching to understand their effects on humans. The oceans are home to 80% of all life forms on Earth, but only 1% of our biotechnology R&D budget will focus on marine life forms. Mr. President, the oceans are integral to our lives but we are not putting a high enough priority on finding ways to learn more about them, and what they may hold for our future.

The Stratton Commission stated in 1969: "How fully and wisely the United States uses the sea in the decades ahead will affect profoundly its security, its economy, its ability to meet increasing demands for food and raw materials, its position and influence in the world community, and the quality of the environment in which its people live." Those words are as true today as they were 30 years ago. It is time to look towards the next 30 years. As a nation, we must consider the challenges and opportunities that lie ahead and ensure the development of an integrated national ocean and coastal policy to deal with them well into the next millennium. I urge the Senate to pass this legislation.

Mr. McCain. Mr. President, I rise in support of S. 2327, the Oceans Act of 2000. This bill would establish a Commission on Ocean Policy to assess the problems that face our nation's coastal regions. Over half of the U.S. population lives in these areas and they are the source of one third of our gross domestic product. Clearly, the current problems faced in our coastal areas cannot be left unattended. Senator Hollings, the ranking member on the Commerce Committee, has worked hard on this legislation. I am pleased that the Committee was able to report this bill in the most expeditious manner.

The Commission will examine current programs and policies related to coastal and Great Lakes regions, and

determine whether the problems in such areas are adequately addressed by current laws, regulations, and public policy. The 1966 Stratton Commission, also the result of the hard work of Senators Hollings, Stevens, and Inouye, led to the establishment of the National Oceanic and Atmospheric Administration and the enactment of the Coastal Zone Management Act. While the Stratton Commission provided an invaluable service to our nation, over thirty years have passed since that landmark study. Now it is necessary to reexamine the programs, policies, and state of America's coastal areas.

The Commission established by this bill will issue recommendations to the President and Congress to develop an effective and efficient national policy for our coastal regions. Mr. President, it is time for a comprehensive review of the policies that affect so many Americans.

I thank Senator Hollings for his hard work and determination to address this issue. Mr. President, I urge the Senate to pass the Oceans Act of 2000.

Ms. Snowe. Mr. President, today the Senate is considering S. 2327, the Oceans Act of 2000. I am pleased to support this bill, which will have a major influence on the direction of U.S. ocean policy, management, and research for many years to come.

In 1966, Congress established the Stratton Commission through the enactment of the Marine Resources and Engineering Development Act. The Stratton Commission provided a comprehensive evaluation of the role of the ocean to the United States and provided a series of recommendations regarding ocean and coastal policy for the future.

After over 30 months of meetings, hearings, and correspondence, the Commission produced the 1969 report, "Our Nation and the Sea". The document made a significant impact on coastal and ocean policy, leading to the creation of the National Oceanic and Atmospheric Administration in 1970 and the National Coastal Zone Management Program in 1972.

Now, over thirty years after publication of the original Stratton Commission report, it is time to reexamine current U.S. programs and legislation that affect the oceans, Great Lakes, and coastal zones. Our coastal regions and ocean resources are under increasing pressures. In the United States, more than 53 percent of the population is living in coastal regions that comprise only 17 percent of the contiguous U.S. land area. Additionally, the coastal population is increasing by 3,600 people per day, with a projected coastal increase of 27 million people by the year 2015.

The increasing pressures on the coast are being mirrored in the oceans. Valuable commercial activities such as

shipping and maritime transportation, oil and gas production, and fishing impact the oceans and Great Lakes. Additionally, environmental stresses, such as pollution and increased water temperatures potentially due to global climate change, are exacerbating existing problems.

The Oceans Act of 2000 will create a Commission on Ocean Policy to examine a variety of ocean and Great Lakes issues. Protection of the marine environment, prevention of marine pollution, enhancement of maritime commerce and transportation, response to natural hazards, and preservation of the United States' role as a leader in ocean and coastal activities will all be reviewed. The Commission will be composed of 16 members that represent state and local governments, ocean-related industries, academic and technical institutions, and relevant public interest organizations. The members will be nominated by Congress and appointed by the President.

The Commission will be responsible for submitting a report to Congress and the President, within 18 months, containing their recommendations. These recommendations will focus on the development of a comprehensive, cost-effective policy to address pressing ocean and coastal issues. It will provide important guidance to policy makers on how to shape the future direction of ocean policy for the United States.

Mr. President, I would like to recognize Senator Hollings, the author of the bill, for his work creating the original Stratton Commission and for his leadership on this issue. In addition, Senator Stevens and Senator Inouye, both original cosponsors of the legislation, were involved with the work of the Stratton Commission, and I look forward to working with them and the other members of the Commerce Committee on the Oceans Act of 2000. Finally, I would like to thank Senator McCain, the Chairman of the Committee and Senator Kerry, the ranking member of the Oceans and Fisheries Subcommittee for their support of this measure.

Mr. Thomas. I ask unanimous consent that the amendment be agreed to, the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3620) was agreed to.

The bill (S. 2327), as amended, was considered read the third time and passed, as follows:

S. 2327

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Oceans Act of 2000".

SEC. 2. PURPOSE AND OBJECTIVES.

The purpose of this Act is to establish a commission to make recommendations for coordinated and comprehensive national ocean policy that will promote—

(1) the protection of life and property against natural and manmade hazards;

(2) responsible stewardship, including use, of fishery resources and other ocean and coastal resources;

(3) the protection of the marine environment and prevention of marine pollution;

(4) the enhancement of marine-related commerce and transportation, the resolution of conflicts among users of the marine environment, and the engagement of the private sector in innovative approaches for sustainable use of living marine resources and responsible use of non-living marine resources;

(5) the expansion of human knowledge of the marine environment including the role of the oceans in climate and global environmental change and the advancement of education and training in fields related to ocean and coastal activities;

(6) the continued investment in and development and improvement of the capabilities, performance, use, and efficiency of technologies for use in ocean and coastal activities, including investments and technologies designed to promote national energy and food security;

(7) close cooperation among all government agencies and departments and the private sector to ensure—

(A) coherent and consistent regulation and management of ocean and coastal activities;

(B) availability and appropriate allocation of Federal funding, personnel, facilities, and equipment for such activities;

(C) cost-effective and efficient operation of Federal departments, agencies, and programs involved in ocean and coastal activities; and

(D) enhancement of partnerships with State and local governments with respect to ocean and coastal activities, including the management of ocean and coastal resources and identification of appropriate opportunities for policy-making and decision-making at the State and local level; and

(8) the preservation of the role of the United States as a leader in ocean and coastal activities, and, when it is in the national interest, the cooperation by the United States with other nations and international organizations in ocean and coastal activities.

SEC. 3. COMMISSION ON OCEAN POLICY.

(a) **ESTABLISHMENT.**—There is hereby established the Commission on Ocean Policy. The Federal Advisory Committee Act (5 U.S.C. App.), except for sections 3, 7, and 12, does not apply to the Commission.

(b) **MEMBERSHIP.**—

(1) **APPOINTMENT.**—The Commission shall be composed of 16 members appointed by the President from among individuals described in paragraph (2) who are knowledgeable in ocean and coastal activities, including individuals representing State and local governments, ocean-related industries, academic and technical institutions, and public interest organizations involved with scientific, regulatory, economic, and environmental ocean and coastal activities. The membership of the Commission shall be balanced by area of expertise and balanced geographically to the extent consistent with maintaining the highest level of expertise on the Commission.

(2) **NOMINATIONS.**—The President shall appoint the members of the Commission, within 90 days after the effective date of this Act, including individuals nominated as follows:

(A) 4 members shall be appointed from a list of 8 individuals who shall be nominated by the Majority Leader of the Senate in consultation with the Chairman of the Senate Committee on Commerce, Science, and Transportation.

(B) 4 members shall be appointed from a list of 8 individuals who shall be nominated by the Speaker of the House of Representatives in consultation with the Chairmen of the House Committees on Resources, Transportation and Infrastructure, and Science.

(C) 2 members shall be appointed from a list of 4 individuals who shall be nominated by the Minority Leader of the Senate in consultation with the Ranking Member of the Senate Committee on Commerce, Science, and Transportation.

(D) 2 members shall be appointed from a list of 4 individuals who shall be nominated by the Minority Leader of the House in consultation with the Ranking Members of the House Committees on Resources, Transportation and Infrastructure, and Science.

(3) **CHAIRMAN.**—The Commission shall select a Chairman from among its members. The Chairman of the Commission shall be responsible for—

(A) the assignment of duties and responsibilities among staff personnel and their continuing supervision; and

(B) the use and expenditure of funds available to the Commission.

(4) **VACANCIES.**—Any vacancy on the Commission shall be filled in the same manner as the original incumbent was appointed.

(c) **RESOURCES.**—In carrying out its functions under this section, the Commission—

(1) is authorized to secure directly from any Federal agency or department any information it deems necessary to carry out its functions under this Act, and each such agency or department is authorized to cooperate with the Commission and, to the extent permitted by law, to furnish such information (other than information described in section 552(b)(1)(A) of title 5, United States Code) to the Commission, upon the request of the Commission;

(2) may enter into contracts, subject to the availability of appropriations for contracting, and employ such staff experts and consultants as may be necessary to carry out the duties of the Commission, as provided by section 3109 of title 5, United States Code; and

(3) in consultation with the Ocean Studies Board of the National Research Council of the National Academy of Sciences, shall establish a multidisciplinary science advisory panel of experts in the sciences of living and non-living marine resources to assist the Commission in preparing its report, including ensuring that the scientific information considered by the Commission is based on the best scientific information available.

(d) **STAFFING.**—The Chairman of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an Executive Director and such other additional personnel as may be necessary for the Commission to perform its duties. The Executive Director shall be compensated at a rate not to exceed the rate payable for Level V of the Executive Schedule under section 5136 of title 5, United States Code. The employment and termination of an Executive Director shall be subject to confirmation by a majority of the members of the Commission.

(e) **MEETINGS.**—

(1) **ADMINISTRATION.**—All meetings of the Commission shall be open to the public, except that a meeting or any portion of it may

be closed to the public if it concerns matters or information described in section 552b(c) of title 5, United States Code. Interested persons shall be permitted to appear at open meetings and present oral or written statements on the subject matter of the meeting. The Commission may administer oaths or affirmations to any person appearing before it:

(A) All open meetings of the Commission shall be preceded by timely public notice in the Federal Register of the time, place, and subject of the meeting.

(B) Minutes of each meeting shall be kept and shall contain a record of the people present, a description of the discussion that occurred, and copies of all statements filed. Subject to section 552 of title 5, United States Code, the minutes and records of all meetings and other documents that were made available to or prepared for the Commission shall be available for public inspection and copying at a single location in the offices of the Commission.

(2) **INITIAL MEETING.**—The Commission shall hold its first meeting within 30 days after all 16 members have been appointed.

(3) **REQUIRED PUBLIC MEETINGS.**—The Commission shall hold at least one public meeting in Alaska and each of the following regions of the United States:

(A) The Northeast (including the Great Lakes).

(B) The Southeast (including the Caribbean).

(C) The Southwest (including Hawaii and the Pacific Territories).

(D) The Northwest.

(E) The Gulf of Mexico.

(f) **REPORT.**—

(1) **IN GENERAL.**—Within 18 months after the establishment of the Commission, the Commission shall submit to Congress and the President a final report of its findings and recommendations regarding United States ocean policy.

(2) **REQUIRED MATTER.**—The final report of the Commission shall include the following assessment, reviews, and recommendations:

(A) An assessment of existing and planned facilities associated with ocean and coastal activities including human resources, vessels, computers, satellites, and other appropriate platforms and technologies.

(B) A review of existing and planned ocean and coastal activities of Federal entities, recommendations for changes in such activities necessary to improve efficiency and effectiveness and to reduce duplication of Federal efforts.

(C) A review of the cumulative effect of Federal laws and regulations on United States ocean and coastal activities and resources and an examination of those laws and regulations for inconsistencies and contradictions that might adversely affect those ocean and coastal activities and resources, and recommendations for resolving such inconsistencies to the extent practicable. Such review shall also consider conflicts with State ocean and coastal management regimes.

(D) A review of the known and anticipated supply of, and demand for, ocean and coastal resources of the United States.

(E) A review of and recommendations concerning the relationship between Federal, State, and local governments and the private sector in planning and carrying out ocean and coastal activities.

(F) A review of opportunities for the development of or investment in new products, technologies, or markets related to ocean and coastal activities.

(G) A review of previous and ongoing State and Federal efforts to enhance the effectiveness and integration of ocean and coastal activities.

(H) Recommendations for any modifications to United States laws, regulations, and the administrative structure of Executive agencies, necessary to improve the understanding, management, conservation, and use of, and access to, ocean and coastal resources.

(I) A review of the effectiveness and adequacy of existing Federal interagency ocean policy coordination mechanisms, and recommendations for changing or improving the effectiveness of such mechanisms necessary to respond to or implement the recommendations of the Commission.

(3) **CONSIDERATION OF FACTORS.**—In making its assessment and reviews and developing its recommendations, the Commission shall give equal consideration to environmental, technical feasibility, economic, and scientific factors.

(4) **LIMITATIONS.**—The recommendations of the Commission shall not be specific to the lands and waters within a single State.

(g) **PUBLIC AND COASTAL STATE REVIEW.**—

(1) **NOTICE.**—Before submitting the final report to the Congress, the Commission shall—

(A) publish in the Federal Register a notice that a draft report is available for public review; and

(B) provide a copy of the draft report to the Governor of each coastal State, the Committees on Resources, Transportation and Infrastructure, and Science of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate.

(2) **INCLUSION OF GOVERNORS' COMMENTS.**—The Commission shall include in the final report comments received from the Governor of a coastal State regarding recommendations in the draft report.

(h) **ADMINISTRATIVE PROCEDURE FOR REPORT AND REVIEW.**—Chapter 5 and chapter 7 of title 5, United States Code, do not apply to the preparation, review, or submission of the report required by subsection (e) or the review of that report under subsection (f).

(i) **TERMINATION.**—The Commission shall cease to exist 30 days after the date on which it submits its final report.

(j) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section a total of \$6,000,000 for the 3 fiscal-year period beginning with fiscal year 2001, such sums to remain available until expended.

SEC. 4. NATIONAL OCEAN POLICY.

(a) **NATIONAL OCEAN POLICY.**—Within 120 days after receiving and considering the report and recommendations of the Commission under section 3, the President shall submit to Congress a statement of proposals to implement or respond to the Commission's recommendations for a coordinated, comprehensive, and long-range national policy for the responsible use and stewardship of ocean and coastal resources for the benefit of the United States. Nothing in this Act authorizes the President to take any administrative or regulatory action regarding ocean or coastal policy, or to implement a reorganization plan, not otherwise authorized by law in effect at the time of such action.

(b) **COOPERATION AND CONSULTATION.**—In the process of developing proposals for submission under subsection (a), the President shall consult with State and local governments and non-Federal organizations and individuals involved in ocean and coastal activities.

SEC. 5. BIENNIAL REPORT.

Beginning in September, 2001, the President shall transmit to the Congress biennially a report that includes a detailed listing of all existing Federal programs related to ocean and coastal activities, including a description of each program, the current funding for the program, linkages to other Federal programs, and a projection of the funding level for the program for each of the next 5 fiscal years beginning after the report is submitted.

SEC. 6. DEFINITIONS.

In this Act:

(1) **MARINE ENVIRONMENT.**—The term "marine environment" includes—

(A) the oceans, including coastal and offshore waters;

(B) the continental shelf; and

(C) the Great Lakes.

(2) **OCEAN AND COASTAL RESOURCE.**—The term "ocean and coastal resource" means any living or non-living natural, historic, or cultural resource found in the marine environment.

(3) **COMMISSION.**—The term "Commission" means the Commission on Ocean Policy established by section 3.

SEC. 7. EFFECTIVE DATE.

This Act shall become effective on January 20, 2001.

FISHERMEN'S PROTECTIVE ACT AMENDMENTS OF 1967

Mr. THOMAS. I ask unanimous consent the Senate proceed to consideration of Calendar No. 569, H.R. 1651.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1651) to amend the Fishermen's Protective Act of 1967 to extend the period during which reimbursement may be provided to owners of United States fishing vessels for costs incurred when such a vessel is seized and detained by a foreign country, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, Transportation, with an amendment.

[Omit the part in boldface brackets and insert the part printed in italic]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—EXTENSION OF PERIOD FOR REIMBURSEMENT UNDER FISHERMEN'S PROTECTIVE ACT OF 1967

SEC. 101. SHORT TITLE.

This title may be cited as the "Fishermen's Protective Act Amendments of 1999".

SEC. 102. EXTENSION OF PERIOD FOR REIMBURSEMENT UNDER FISHERMEN'S PROTECTIVE ACT OF 1967.

(a) **IN GENERAL.**—Section 7(e) of the Fishermen's Protective Act of 1967 (22 U.S.C. 1977(e)) is amended by striking "2000" and inserting "2003".

(b) **CLERICAL AMENDMENT.**—Section 7(a)(3) of the Fishermen's Protective Act of 1967 (22 U.S.C. 1977(a)(3)) is amended by striking "Secretary of the Interior" and inserting "Secretary of Commerce".

TITLE II—YUKON RIVER SALMON

SEC. 201. SHORT TITLE.

This title may be cited as the "Yukon River Salmon Act of 1999".

SEC. 202. YUKON RIVER SALMON PANEL.

(a) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—There shall be a Yukon River Salmon Panel (in this title referred to as the "Panel").

(2) **FUNCTIONS.**—The Panel shall—

(A) advise the Secretary of State regarding the negotiation of any international agreement with Canada relating to management of salmon stocks originating from the Yukon River in Canada;

(B) advise the Secretary of the Interior regarding restoration and enhancement of such salmon stocks; and

(C) perform other functions relating to conservation and management of such salmon stocks as authorized by this or any other title.

(3) **DESIGNATION AS UNITED STATES REPRESENTATIVES ON BILATERAL BODY.**—The Secretary of State may designate the members of the Panel to be the United States representatives on any successor to the panel established by the interim agreement for the conservation of salmon stocks originating from the Yukon River in Canada agreed to through an exchange of notes between the Government of the United States and the Government of Canada on February 3, 1995, if authorized by any agreement establishing such successor.

(b) **MEMBERSHIP.**—

(1) **IN GENERAL.**—The Panel shall be comprised of six members, as follows:

(A) One member who is an official of the United States Government with expertise in salmon conservation and management, who shall be appointed by the Secretary of State.

(B) One member who is an official of the State of Alaska with expertise in salmon conservation and management, who shall be appointed by the Governor of Alaska.

(C) Four members who are knowledgeable and experienced with regard to the salmon fisheries on the Yukon River, who shall be appointed by the Secretary of State in accordance with paragraph (2).

(2) **APPOINTEES FROM ALASKA.**—(A) The Secretary of State shall appoint the members under paragraph (1)(C) from a list of at least three individuals nominated for each position by the Governor of Alaska.

(B) In making the nominations, the Governor of Alaska may consider suggestions for nominations provided by organizations with expertise in Yukon River salmon fisheries.

(C) The Governor of Alaska may make appropriate nominations to allow for appointment of, and the Secretary of State shall appoint, under paragraph (1)(C)—

(i) at least one member who is qualified to represent the interests of Lower Yukon River fishing districts; and

(ii) at least one member who is qualified to represent the interests of Upper Yukon River fishing districts.

(D) At least one of the members appointed under paragraph (1)(C) shall be an Alaska Native.

(3) **ALTERNATES.**—(A) The Secretary of State may designate an alternate Panel member for each Panel member the Secretary appoints under paragraphs (1)(A) and (C), who meets the same qualifications, to serve in the absence of the Panel member.

(B) The Governor of the State of Alaska may designate an alternative Panel member for the Panel member appointed under subsection (b)(1)(B), who meets the same qualifications, to serve in the absence of that Panel member.

(c) **TERM LENGTH.**—Panel members and alternate Panel members shall serve four-year terms. Any individual appointed to fill a vacancy occurring before the expiration of any